



STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001
13 April 2016

Paul R. LePage
GOVERNOR

The 127th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1682, "An Act To Specify That Certain Rules Regarding Services to Persons with Intellectual Disabilities or Autism Are Major Substantive Rules." This bill changes department rulemaking for services provided to those with intellectual disabilities or autism from routine technical to major substantive. The purpose is clearly to provide the majority in the Legislature the opportunity to nullify rulemaking they do not like.

For most of Maine's recent history, there was little disagreement between the Executive Branch and the majority in the Legislature because they were both controlled by like-minded socialists. Many in the Legislature have been frustrated by the lack of one-party rule in recent years and have therefore introduced misguided bills like this to infringe on the powers and micromanage the affairs of the Executive Branch. One recent routine technical rule adopted by the Department of Health and Human Services (DHHS) generated a total of not one, not two, but *three* public hearings.

One of the reasons the Legislature has for the first time in institutional memory not had a massive budget shortfall to deal with is that state agencies, especially DHHS, have had the flexibility to manage their finances and business decisions without this increasing encroachment by lawmakers committed to maintaining the status quo. This bill would erode that flexibility and infringe on the authority of the Chief Executive in the interest of election year pandering.

If lawmakers wish to influence routine technical rulemaking, they should attend the public hearings held pursuant to the Administrative Procedures Act and/or submit written comments on these proposed rules, just like everybody else. For these reasons, I return LD 1682 unsigned and vetoed. I strongly urge the Legislature to use good common sense and sustain it.

Sincerely,

Paul R. LePage
Governor



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